Serial Number: 10/792,257 Filing Date: March 2, 2004

Title: CAPACITOR DEVICE AND METHOD

Assignee: Intel Corporation

REMARKS

This responds to the Office Action mailed on October 19, 2005. No claims are amended or cancelled. Claims 1-21 remain pending in this application.

§103 Rejection of the Claims

Claims 1-21 were under 35 USC § 103(a) as being unpatentable over various combinations of DuPre' et al. (U.S. 5,880,925) in view of Greenwood et al. (U.S. 6,751,087), further including other patents in selected 35 USC § 103(a) rejections. Applicant respectfully transverses the rejection for at least the following reasons.

The pending Office Action states that "DuPre' et al. lacks a plurality of terminals, wherein multiple first polarity connections are coupled to a single first polarity terminal and corresponding multiple second polarity connections are coupled to multiple second polarity terminals." Applicant agrees with this assessment of DuPre'. The pending rejections further state that Greenwood et al. teach "a plurality of terminals (Figures 1, and 3a-3b), wherein multiple first polarity connections (101) are coupled to a single first polarity terminal and corresponding multiple second polarity connections (102) are coupled to multiple second polarity terminals (figures 1, and 3a-3b)."

Applicant respectfully submits that Greenwood is not prior art with respect to the present application. Applicant notes that the Greenwood reference appears to be asserted under 35 USC § 102(e). The present application was filed on March 2, 2004. Greenwood was filed on February 24, 2003 and issued on June 15, 2004.

A reference asserted under 102(e) that was commonly owned with an application at the time the invention was made, cannot preclude patentability under 35 U.S.C. 103 when the application was filed on or after November 29, 1999. 35 U.S.C. 103(c). The present application was filed on March 2, 2004, which is after November 29, 1999. Greenwood and the present application were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same entity.

Thus, Greenwood is commonly owned with the present application and is not prior art.

The Examiner has stated in the pending Office Action, that DuPre' et al. lacks a plurality of

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terminals, wherein multiple first polarity connections are coupled to a single first polarity terminal and corresponding multiple second polarity connections are coupled to multiple second polarity terminals. These deficiencies in DuPre' leave elements of Applicant's pending independent claims 1 and 18 that are not shown or taught.

Because all elements are not found in DuPre', either alone or in combination with other provided patents, the 35 USC § 103(a) is not supported. Reconsideration and withdrawal of the rejection is respectfully requested with respect to claims 1-5 and 18-21.

Applicant notes that the Greenwood (6,751,087) patent is a continuation application of Greenwood (6,590,762) that was previously provided to the Patent Office by Applicant.

Applicant respectfully submits that the present claims are also distinguishable over Greenwood (6,590,762).

The rejection stated that Greenwood.(6,751,087) teach "a plurality of terminals (Figures 1, and 3a-3b), wherein multiple first polarity connections (101) are coupled to a single first polarity terminal and corresponding multiple second polarity connections (102) are coupled to multiple second polarity terminals (figures 1, and 3a-3b)."

Similar to Greenwood.(6,751,087), Figure 1 of Greenwood (6,590,762) appears to show a single first "electrical terminal 101" and a single "second electrical terminal 102" (column 2, lines 44-48). Figures 3a and 3b appear to show multiple negative terminals 303 and multiple positive terminals 304. However, Applicant is unable to find in Greenwood (6,590,762) a plurality of terminals, wherein *multiple* first polarity connections are coupled to a *single* first polarity terminal and corresponding *multiple* second polarity connections are coupled to *multiple* second polarity terminals.

Applicant respectfully submits that for at least the distinguishing reasons outlined above, the present claims are in condition for allowance over DuPre' and Greenwood (6,590,762).

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

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Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 373-6944) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date /2-19-05

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<u>CERTIFICATE UNDER 37 CFR 1.8:</u> The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 19th day of <u>December, 2005</u>.

Name

Signature